



VOSH PROGRAM DIRECTIVE: 12-419F

ISSUED: March 15, 1998

SUBJECT: Amendments to the Air Contaminants Standard, § 1910.1000

A. Purpose.

CHANGE I of this Directive transmits to field personnel two amendments to the Air Contaminants Standard, § 1910.1000. The first amendment results from the final regulation concerning the Occupational Exposure to 1,3-Butadiene, § 1910.1051 (61 FR 56746, November 4, 1997). The second amendment results from the final regulation concerning the Occupational Exposure to Methylene Chloride, § 1910.1052 (62 FR 1496, January 10, 1997). **CHANGE II** corrects typographical errors and incorrect entries in the standard.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH Personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This Directive applies to all VOSH personnel and specifically to Occupational Health Compliance and Cooperative Programs personnel.

C. References.

CHANGE I: 61 FR 56746 (November 4, 1996)
62 FR 1496 (January 10, 1997)

CHANGE II: 62 FR 42018 (August 4, 1997)

D. Cancellation.

VOSH Program Directive 12-419E (June 15, 1997).

E. Action.

The Deputy Commissioner, Directors and Managers shall assure that field personnel understand and comply with the provisions of the Air Contaminants standard, § 1910.1000.

F. Effective Dates.

CHANGE I: July 15, 1997

CHANGE II: December 15, 1997

G. Expiration Date.

Not applicable.

H. Background.

CHANGE I: The basis for the first amendment to the Air Contaminants standard, § 1910.1000, was the publication of federal OSHA's new final rule on 1,3-Butadiene (BD), General Industry, § 1910.1051, on November 4, 1996. This standard reduced the permissible exposure limit (PEL) from concentrations up to 1,000 parts 1,3-Butadiene per million parts of air (1,000) as an eight-hour time-weighted average (TWA) to an 8-hour TWA of 1 ppm and a short term exposure limit (STEL) of 5 ppm for 15 minutes.

The second amendment to the Air Contaminants standard resulted from the publication of federal OSHA's final rule for the Occupational Exposure to Methylene Chloride (MC), § 1910.1052, on January 10, 1997. This final rule reduced the existing eight-hour TWA PEL from 500 parts MC per million parts (ppm) and reduced the existing short-term exposure limit from 2,000 ppm (measured over 5 minutes in any 2 hour period) to 125 ppm, measured as a 15-minute TWA.

On April 7, 1997, the Safety and Health Codes Board adopted these amendments to the Air Contaminants standard, with an effective date of July 15, 1997.

CHANGE II: Federal OSHA published revisions to the amended Air Contaminants Standard, § 1910.1000, on June 30, 1993 (58 FR 35338) in response to the Court of Appeals decision in *AFL-CIO v. OSHA*, 965 F.2d 962 (11th Circuit, 1992). Those revisions are currently printed in the Code of Federal Regulations, Air Contaminants Standard, 29 CFR 1910.1000, Tables Z-1, Z-2, and Z-3.

On September 29, 1997, the Safety and Health Codes Board adopted these revisions with an effective date of December 15, 1997.

I. Summary.

CHANGE I: In the first amendment, Table Z-1 of the Air Contaminants standard was amended to reflect changes resulting from the final rule for the Occupational Exposure to 1,3-Butadiene (BD), § 1910.1051. These changes include revising the Butadiene entry so

that it reads as follows: "Butadiene (1,3-Butadiene); See 29 CFR 1910.1051; 29 CFR 1910.19(l)."

In the second amendment, the entire entry for Methylene Chloride (Z37.23-1969) was removed from Table Z-2 of the Air Contaminants standard and replaced with the following entry in the substance column: "Methylene chloride: see § 1910.1052."

CHANGE II: Typographical errors were corrected in the table containing limits for air contaminants and the table on mineral dusts. The corrections are as follows:

- For one group of substances, Cyanides, OSHA inadvertently omitted the "x" notation in the

“skin designation” column to indicate that the substance is absorbed through the skin.

- In the entry for “1,2-Dibromo-3-chloropropane (CBCP); see 1910.1044”, the parenthetical “(CBCP)” in the “Substance” column is revised to read “(DBCP)”.
- For two substances, Endosulfan and Perlite (respirable and total dust), the entries and their corresponding PELs should be deleted.

These entries, including their respective PELs, are a carryover from the 1989 Air Contaminants Standard which was vacated by the U.S. Court of Appeals, Eleventh Circuit. The substance, Endosulfan, was not listed in the air contaminant tables when OSHA adopted the consensus standards on May 29, 1971 (36 FR 10466) and, consequently, is not currently regulated. With respect to Perlite, OSHA formerly regulated Perlite under the generic nuisance dust limits of 15 mg/m³ total dust and 5mg/m³ respirable fraction. Consequently, Perlite is currently regulated under the entry “particulates not otherwise regulated” which is the current nomenclature for what was formerly referred to as “nuisance dust.”

- In the entry for “2,4,6-Trinitrophenyl; see Picric acid”, the word “Trinitrophenyl” is revised to read “Trinitrophenol”.
- The exposure limit for Uranium insoluble compounds is incorrectly listed as 0.05 mg/m³. It should be listed as 0.25 mg/m³.
- The formula for the PEL for coal dust with less than 5% quartz (respirable fraction) is incorrectly listed as:

$$\frac{\text{"2.4 mg/m}^3\text{"}}{\% \text{SiO}_2 + 2}$$

It should read “2.4 mg/m^{3e}”.

Theron J. Bell
Commissioner

E-Attachments: CHANGE I: 61 FR 56746 (November 4, 1996)
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=13585&p_text_version=FALSE

62 FR 1496 (January 10, 1997)

CHANGE II: 62 FR 42018 (August 4, 1997)
http://www.osha.gov/FedReg_osha_pdf/FED19970804.pdf

Distribution: Commissioner of Labor and Industry
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OSHA Regional Administrator, Region III

AIR CONTAMINANTS STANDARD, § 1910.000; AMENDMENTS

As Adopted by the
Safety and Health Codes Board

Date: April 7, 1997



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: July 15, 1997

16 VAC 25-90-1910.1000, Amendment to Air Contaminants, General Industry, § 1910.1000

When the regulations, as set forth in the amendments to the Air Contaminants standard, § 1910.1000, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

February 3, 1997

July 15, 1997

April 10, 1997

July 15, 1997

AIR CONTAMINANTS STANDARD, § 1910.000; AMENDMENTS

As Adopted by the
Safety and Health Codes Board

Date: September 29, 1997



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: December 15, 1997

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September 3, 1997

December 15, 1997